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EXAMINER

LIN, KELVIN Y

ART UNIT PAPER NUMBER

2142

DATE MAILED: 12/07/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

**Office Action Summary**

Application No.

09/932,038

Applicant(s)

EDWARDS ET AL.

Examiner

Kelvin Lin

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 13 September 2006.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-10, 12-14, 16-21, 23, 24, 26-37 and 41-46 is/are pending in the application.

4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.

- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.

- 6) ☒ Claim(s) 1-10, 12-14, 16-21, 23, 24, 26-37 and 41-46 is/are rejected.

- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.

- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.

- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a) ☐ All b) ☐ Some \* c) ☐ None of:

1. ☐ Certified copies of the priority documents have been received.

2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.

3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- 1) ☒ Notice of References Cited (PTO-892)

- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)

- 3) ☐ Information Disclosure Statement(s) (PTO/SB/08)

Paper No(s)/Mail Date \_\_\_\_\_.

- 4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_\_.

- 5) ☐ Notice of Informal Patent Application

- 6) ☐ Other: \_\_\_\_\_.

## **Detailed Action**

### ***Response to Arguments***

1. Applicant's arguments, see Remarks from page 8 to 11, filed on Sept. 16, 2006, with respect to the rejection(s) of claim(s) 1-37, and 41-46 under 35 USC 103(a) as the combination of Cook in view of Ludwig have been fully considered and are persuasive. Therefore, the rejection has been withdrawn. However, upon further consideration, a new ground(s) of rejection is made in view of Bobo (USPGPUB 2001/0014910) and further in view of Belfiore et al., (USPGPUB 2006/0230124).

### ***Claim Rejections - 35 USC § 103***

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

1. Claims 1-10, 12-14, 16-19, 21, 23-24, 26-37, 41-44, and 46 are rejected under 35 U.S.C 103(a) as being unpatentable over Cook D., (US Patent No. 6496744) in view Bobo (USPGPUB 2001/0014910).
2. Regarding claim 1, Cook teaches a computerized method, comprising:

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- receiving one or more files at a storage location from a first device, across a first network of a first type (Cook, fig. 1, col. 2, l.21-48, col.4, l.37-57, col.7, l.25-60,col.9, l.22-26, in which the first format is wave audio format, and the first device is storage server across computer network); and

Cook does not teach the limitation of providing a file transfer notification to a second device across a second network.

However, Bobo teaches the following:

- providing a file transfer notification to a second device, across a second network of a second type different from the first type, when the one or more files is received at the storage location (Bobo, [0066], [0163], the internet server 5 provides file transfer and notifies the user across a second network MSDS, which is a PSTN network different from internet server 5 ).

Because knowing that Bobo structure provides a message storage and deliver system connecting to the public switched telephone network and transfer or forward files to internet server, it would have been obvious to use delivering and managing message for Cook's device to delivery of a data product and notify the second device across the PSTN network. Therefore, the claimed invention would have been obvious to one of ordinary skill in the art at the time of the invention.

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3. Regarding claim 2, Cook further discloses the method of claim 1, further comprising: generating a media transfer request at the storage location (Cook, col.7, l.31-33).
4. Regarding claim 3, Bobo further discloses the method of claim 2, further comprising: providing a media transfer notification to the second device, across the second network, when the media transfer request is completed (Bobo, [0066], [0163]).
5. Regarding claim 4, Cook further discloses the method of claim 1, wherein the first device is the same as the second device (Cook, col.6, l.30-50, col.7, l.33-40, the order device and manufacture device are the same devices at the system ).
6. Regarding claim 5, Cook further discloses the method of claim 1, further comprising, a server receiving input from the first device to select one or more files in archive (Cook, col.7, l.38-39).
7. Regarding claim 6, the method of claim 1, wherein the first format being a tiff format and the second format being a JPEG format (This is a well known skill in this area of art, e.g. the 2<sup>nd</sup> USENIX symposium on Internet Technologies and systems, 1999, p. 6 l.1-10).
8. Regarding claim 7, the method of claim 1, wherein, the first format being a MP3 format and the second format being a DVD format (This is a well known skill in this area of art, e.g. Michael Macedonia, IEEE, computer magazine, Aug, 2000, vol.8, issue 8 page101 col.2).

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9. Regarding claim 8, Cook further discloses the method of claim 6, wherein the server provides media transfer notification to the second device (Cook, col.3, l.33-34, col.7, l.46-49, generated the confirmation number managed by the system).
10. Regarding claim 9, Cook further discloses the method of claim 1, further comprising, tracking a mailing status of the media transferred files (Cook, col.3, l.33-34, col.7, l.50)
11. Regarding claim 10, Bobo further discloses the method of claim 1, wherein the first device is Internet enabled and the second device is non-Internet enabled (Bobo, [0067], the first is internet server, and the second is MSDS connected to PSTN network – non-internet enabled network).
12. Regarding claim 12, Cook further discloses the method of claim 1, wherein the first device selected from the group consisting of an ATM, a photo kiosk, a personal computer, a pager, telephone, and an Internet-enabled PDA (Cook, col.1, l. 66-67).
13. Regarding claim 13, Bobo further discloses the method of claim 1, wherein the second device is telephony enabled (Bobo, [0067], in which the MSDS connects to PSTN).
14. Regarding claim 14, Bobo further discloses the method of claim 1, wherein the second device is selected from the group consisting of pager, telephone, fax, answering machine and telephony-enabled PDA differing from the first device being a computer (Bobo, [0063]).
15. Regarding claim 16, Cook further discloses the method of claim 1, wherein the

received files are graphic files (Cook, col.7, l.11-12).

16. Regarding claim 17, Cook further discloses the method of claim 1, wherein the received files are audio files (Cook, col.4, l.23-24).
17. Regarding claim 18, Bobo further discloses the method of claim 1, wherein one of the one or more networks is the PSTN (Bobo, [0063]).
18. Regarding claim 19, Cook further discloses the method of claim 1, wherein one of the one or more networks is selected from the group consisting of the Internet, WAN, and LAN. (Cook, col.6, l.33-34)
19. Regarding claims 21, 23-24, 26-30 have limitations corresponding to claims 1, 3-4, 10, 16, and 19. Therefore, Claims 21, 23-24, 26-30 are rejected for the same reasons set forth in the rejection of claims 1, 3-4, 10, 16, and 19.
20. Regarding claims 31-33 have similar limitations as claims 21,23.  
Therefore, Claims 31-33 are rejected for the same reasons set forth in the rejection of claims 21,23.
21. Regarding claim 34, Cook further discloses the apparatus of claim 33, further comprising: means for tracking a mailing status of the transferred media (Cook, col.3, l. 33-34, col.7, l.50).
22. Regarding claim 35, Cook further discloses a machine-readable medium having executable instructions for performing a method, the method comprising:

Receiving one or more files at a storage location from a first device, across a first network of a first type (Cook, fig. 1, col. 2, l.21-48, col.4, l.37-57,

col.7; I.25-60, col.9, I.22-26; and providing a file transfer notification to a second device, across a second network of a second type different from the first type, when the one or more files is received at the storage location (Bobo, [0066], [0163]).

23. Regarding claim 36, Cook further discloses the machine-readable medium of claim 35 having further executable instructions for performing a method, the method further comprising: transferring the one or more files from the archive to a different media (Cook, col.4, I.45-50).
24. Regarding claim 37, Bobo further discloses the machine-readable medium of claim 35 having further executable instructions for performing a method, wherein the media transfer notification confirms a successful file transfer into an archive (Bobo, [0037]).
25. Regarding claims 41-42 have similar limitations as claims 35-36.  
Therefore, Claims 41-42 are rejected for the same reasons set forth in the rejection of claims 35-36.
26. Regarding claim 43, Cook further discloses the system of claim 41, further comprising: one or more files converted to a different media and the different media delivered to an address (Cook, col. 4, I.30-35, col.10, I.50-55).
27. Regarding claim 44, Cook further discloses the system of claim 43, wherein a media transfer notification is sent to the second device to provide tracking information on a shipment of the files transferred to the different media (Cook,



col. 7, l.45-50).

28. Regarding claim 46, Bobo further discloses the system of claim 41, wherein the second is selected from the group consisting of pager, telephone, fax, answering machine and telephony-enable PDA differing the first device being a computer (Bobo, [0063]).
29. Claims 20, and 45 are rejected under 35 U.S.C 103(a) as being unpatentable over Cook D., (US Patent No. 6496744) in view Bobo (USPGPUB 2001/0014910) and further in view of Belfiore et al., (USPGPUB 2006/0230124).
30. Cook and Bobo does not specifically disclose the VPN and cellular phone. However, Belfiore discloses the following limitation:
31. Regarding claim 20, Belfiore further discloses the method of claim 19, wherein VPN is implemented on the first network (Belfiore, [0210]).  
  
Because knowing that a server cooperatively interacts to fulfill service requests using the distributed computing service platform that is facilitated over a wide variety networks by messaging that supports multiple transport mechanism. And the user interfaces of the client devices will appear consistent even it he client devices have different user interface capabilities, it would have been obvious to use the platform to in the device of Cook to improve user interface capabilities. Therefore, the claimed invention would have been obvious to one of ordinary skill in the art at the time of the invention.
32. Regarding claim 45, Belfiore further discloses the system of claim 41, wherein

the first device is the same device as the second device is a cellular telephone (Belfiore, [0044], fig. 1).

### ***Conclusion***

Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action, Accordingly, **THIS ACTION IS MADE FINAL**. See MEPE 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first replay is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE MONTH** shortened statutory period, then the shortened statutory period will expire on the date advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTH** from the date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Kelvin Lin whose telephone number is 571-272-3898. The examiner can normally be reached on Flexible 4/9/5.


If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Andrew Caldwell can be reached on 571-272-3868. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

11/28/06

KYL



ANDREW CALDWELL  
PRIMARY PATENT EXAMINER